

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA §
 §
VS. § MAGISTRATE NO. C-12-645-1
 §
JUAN CARLOS MONTES-LEAL §

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

- (1) There is a serious risk that the defendant will not appear; and
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant meets is substantial. The findings and conclusions contained in the Pretrial Services Report are adopted. The defendant has no status to live or work in the United States. There is an immigration hold on the defendant. If defendant is able to obtain a bond from the immigration authorities and adjust his status, the matter of bond will be reconsidered. Presently he is facing immediate deportation if released on bond, thereby making him a flight risk. He is a poor bond candidate.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending

appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 5th day of July, 2012.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE